



May 27, 2022

Laurie Gharis

Office of the Chief Clerk

Texas Commission on Environmental Quality

P.O. Box 13087, MC 105

Austin, Texas 78711-3087

RE: Comments on Pasadena Refining System, Inc. Air Quality Permit Numbers 20246, 56389, and 80804 at 111 Red Bluff Road, Pasadena, Harris County, Texas 77506

Dear Texas Commission on Environmental Quality,

On June 15, 2021, Pasadena Refining System Inc. (PRSI) (RN100716661, CN603137605) submitted its application to the Texas Commission on Environmental Quality (TCEQ) for amendments to Air Quality Permit Numbers 20246, 56389, and 80804, which would authorize modification to the PRSI facility located at 111 Red Bluff Road, Pasadena, Harris County, Texas 77506. Air Alliance Houston (AAH) submits these comments in response.

The facility is situated within the Houston Ship Channel – an area inundated with industrial facilities and other pollution sources. Communities that live in and near these facilities are engulfed with pollution of every kind. As a result, Houston Ship Channel communities face serious health impacts. For example, research by the University of Texas’s School of Public Health found that children living within two (2) miles of the Houston Ship Channel have a 56 percent greater chance of having leukemia than children living farther away as well as other

severe health impacts.¹ The facility itself has a long history of noncompliance with permit requirements and unsafe operating conditions as evidenced by the 14 Texas Administrative Code (TAC) enforcement orders it has received since 2017, the 22 Clean Air Act (CAA) enforcement actions it has received over the last five (5) years, and the 19 emergency responses since 2015. Moreover, it has spent at least 12 of the last 12 quarters in CAA noncompliance, and its current CAA compliance status is classified as “high priority violation” (HPV) and “significant noncompliance” (SNC) (as of May 6, 2022).² Despite the numerous administrative and court orders, investigations, and complaints against it, TCEQ maintains that the facility has a satisfactory compliance score.^{2 3}

Commenters are aware of a settlement reached between Harris County Pollution Control Services Department (HCPCSD), the Office of the Harris County Attorney (HCAO), and PRSI specific only to permit modifications for a proposed new Light Tight Oil (LTO) crude and condensate project at the Red Bluff facility. While we support the conditions of the agreement pertaining to transparency with the community (such as the requirement to hold a community meeting and to post information publicly on the PRSI website), Commenters still oppose the issuance of these permit modifications on other grounds as outlined in this letter.

I. COMMENTERS

Air Alliance Houston (AAH) is a Texas 501(c)(3) non-profit advocacy organization working to reduce the public health impacts of air pollution and advance environmental justice

¹ K. Walker et al., University of Texas Health Science at Houston, School of Public Health, An investigation of the association between hazardous air pollutants and lymphohematopoietic cancer risk among residents of Harris County, Texas, See electronically at:

<https://pdfs.semanticscholar.org/3b67/75f96037b7dd2104a11296784f52d4cddf33.pdf>.

² EPA Enforcement and Compliance History Online (ECHO) Search. See electronically at:

<https://echo.epa.gov/detailed-facility-report?fid=110000462703>

³ TCEQ Compliance History Search. See electronically at:

<https://www2.tceq.texas.gov/oce/ch/index.cfm?fuseaction=main.viewdetails&rid=919484782001312>

through applied research, education, and advocacy. AAH takes a strong stance against disproportionate exposure to air pollution in overburdened communities of color and lower income by focusing attention on health equity and environmental justice.

II. ENVIRONMENTAL JUSTICE CONCERNS

Pasadena Refining System, Inc. (PRSI) owns the refinery located at 111 Red Bluff Road, Pasadena, Harris County, Texas 77506 in the city of Pasadena. The facility impacts surrounding communities along the Houston Ship Channel, many of which are designated as environmental justice communities and already overburdened with multiple sources of pollution.

A. Factors Defining Local EJ Communities

The United States Environmental Protection Agency (EPA) defines “environmental justice (EJ) communities” as communities most impacted by environmental harms and risks, or overburdened communities. There are several factors that define EJ communities, including where there is: (1) disproportionate exposure to environmental hazards and (2) increased vulnerability to said hazards. The EPA further describes these factors in their definition of an overburdened community: the term describes situations where multiple factors, including both environmental and socioeconomic stressors, may act cumulatively to affect health and the environment and contribute to persistent environmental health disparities.⁴

PRSI’s refinery is located less than one (1) mile from Pasadena residences and less than two (2) miles from people living in Galena Park. EPA has recognized that each of these predominantly minority communities face disproportionately high exposure to risk created by industrial sources of pollution, like PRSI.⁵ Moreover, a 2006 task force report for former Houston Mayor Bill White noted: “Over 20 of the largest industrial sources [of pollution] are

⁴ United States Environmental protection Agency. See electronically at: <https://www.epa.gov/environmentaljustice>

⁵ EPA Region 6, Texas Environmental Justice Collaborative Action Plan at 4 (August 3, 2016). See electronically at: https://www.epa.gov/sites/production/files/2016-12/documents/texas_ej_plan_8-3-16_final.pdf.

located in East Houston. The Port of Houston, and the Ship Channel that feeds it, passes through the middle of this area and generates a variety of hazardous pollutants, adding to those from the nearby industrial sources.” These sources include refineries, chemical plants, sewage treatment facilities, hazardous waste (Superfund) sites, and concrete batch plants (see Figure 1).

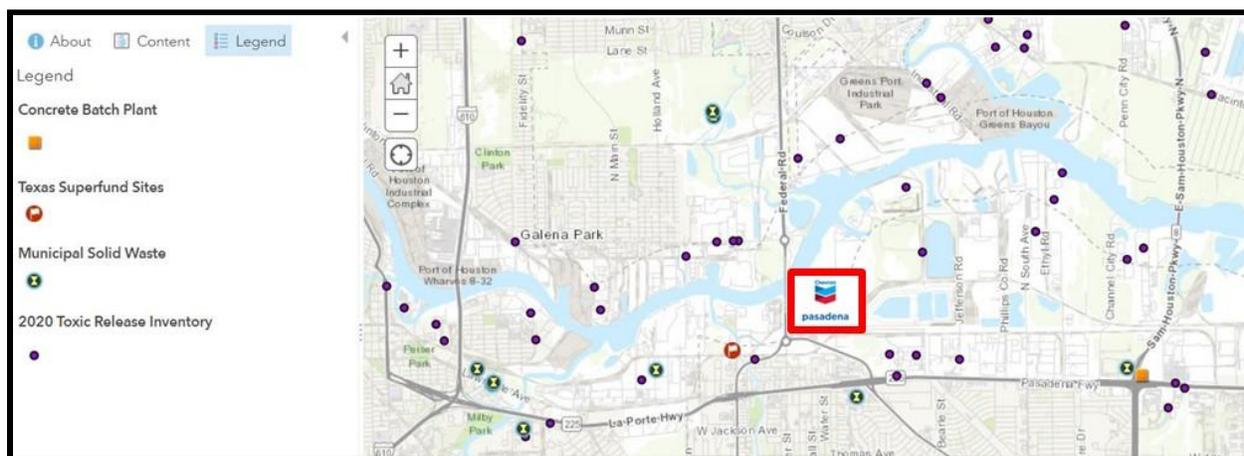


Figure 1. Map of the industrial burden in communities near PRSI

B. Profile of the Immediate Surrounding Community

There are nearly 6,000 residences located within only a two (2) mile radius of the PRSI facility. According to EPA’s EJSCREEN tool, people living in the two (2) mile radius surrounding the PRSI facility are in the top 10 percentile in the country for the following EJ Index criteria: Particulate Matter 2.5 (90%), 2017 Diesel Particulate Matter (91%), 2017 Air Toxics Cancer Risk (94%), 2017 Air Toxics Respiratory Hazard Index (92%), Traffic Proximity and Volume (91%), Lead Paint Indicator (93%), Superfund Proximity (98%), RMP Facility Proximity (99%), Hazardous Waste Proximity (96%), and Underground Storage Tanks (90%). This population is predominantly minority (93%) with more than half (55%) of households earning less than \$50,000 a year.⁶

⁶ EJSCREEN ACS Summary Report. Available electronically at: <https://ejscreen.epa.gov/mapper/>

1. Pasadena

Residential areas in Pasadena are surrounded by Ship Channel industries. In the Pasadena community, socioeconomic stressors combined with environmental stressors establish that they would be considered an EJ community under the EPA definition. Thirty percent (30%) of residents are children under the age of 18, and 10% are seniors aged 65 and older. Additionally, 28% of residents have no high school diploma. Per capita income is \$24,168 with many residents falling below the poverty line. Residents of color comprise 76% of Pasadena's population with 71% alone being Hispanic/Latino. Forty-six percent (46%) of residents speak a language other than English at home, with an overwhelming percentage being Spanish.⁷

2. Galena Park

Portions of the Galena Park community are within a one (1) mile radius of the PRSI facility. Galena Park is also considered an environmental justice community. According to the 2020 Census, 27.5% of residents in Galena Park live in poverty. The median household income is \$47,849. The community is predominantly a minority community with 86.4% of residents being Hispanic. A large portion of the community is considered a sensitive population with 36.9% of the population being children under 18 and eight percent (8%) being seniors over 65. Residents in Galena Park by all definitions live in an environmental justice community and deserve protection by the TCEQ.

All of the above means this is a permit that involves significant environmental justice implications and requires particular focus and action by TCEQ to address these concerns. Given that people living near PRSI's refinery are already overburdened by pollution, vulnerable to health concerns due to age, isolated due to language barriers, and facing more serious barriers to

⁷ See electronically at: <https://www.census.gov/quickfacts/pasadenacitytexas>

upward mobility than most people living in Texas, the TCEQ must carefully weigh the impacts associated with the proposed expansion project against the burdens it will create.⁸

III. CONCERNS REGARDING THE FACILITY AND APPLICATION

Pasadena Refining System, Inc. (PRSI) owns and operates a petroleum refinery located at 111 Red Bluff Road in Pasadena, Harris County, Texas and is a major source of hazardous air pollutants and criteria pollutants—including the precursors for ozone formation (NO_x and VOC)—located in the Harris County ozone nonattainment area. The facility includes a petroleum refinery and a bulk storage tank farm that are used to manufacture, process, and store gasoline, gasoline components, distillate oils, fuel gas, liquefied petroleum gas, and various petroleum feedstocks.

Under these permit modifications, PRSI will reconfigure the Pasadena Refinery to enable processing of additional crude slates, including Light Tight Oil (LTO) crude and condensate, to increase crude processing capacity from 110 to 145 thousand barrels per day (MBPD), and to enable production of jet fuel and some intermediate product streams. To implement these changes at the Refinery, some existing emission units will undergo physical or operational modifications. This permit application also proposes to increase net emissions for CO, NO_x, PM (PM₁₀ and PM_{2.5}), VOC, and SO₂.⁹ Furthermore, while net contemporaneous changes in emissions indicate a reduction for all pollutants except for an increase of 12.81 tpy of VOC and 82.08 tpy of CO, it is unclear when the reductions will occur since the application does not provide a timeline for the removal/decommissioning of specified facilities.

A. PRSI Has A Long History of Noncompliance

⁸ See, e.g., 30 Tex. Admin. Code §§ 116.111(a)(2)(A)(ii), 116.150(d)(4).

⁹ PRSI Application for Permit Amendment, TCEQ Air Quality Permit Nos. 20246, 80804, and 56389 at Table 1F.

PRSI has a notorious history of non-compliance with 14 TAC and 22 CAA enforcement orders since 2017¹⁰ ¹¹ (36 cumulative enforcement actions from regulatory agencies over the last five years alone), 19 emergency responses since 2015,¹² and 114 air quality emissions events since 2015.¹³ Furthermore the facility has been a “high priority violator” of the Clean Air Act for at least the last three (3) years. The TCEQ has now levied over \$1.5 million in fines against PRSI due to these violations.

Violations:

Most recently, in 2021, the facility was cited for the following: Failure to prevent unauthorized emissions and visible emissions to the atmosphere, Failure to prevent visible emissions with opacity greater than the limit of 30%, averaged over a six-minute period, and Failure to prevent visible emissions. Specifically, PRSI failed to prevent emissions from the ESP due to soot blowing during an excess opacity event. All three of these citations are classified as moderate and all are still active. Seven (7) more violations had occurred since 2016 including additional failures to prevent unauthorized emissions.¹⁴ ¹⁵

Enforcement Orders:

¹⁰ TCEQ Effective Enforcement Orders Report. *See electronically at:*
https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.eeodetail&addn_id=205587722008060&re_id=919484782001312

¹¹ EPA Enforcement and Compliance History Online (ECHO) Search. *See electronically at:*
<https://echo.epa.gov/detailed-facility-report?fid=110000462703>

¹² TCEQ Emergency Response Report. *See electronically at:*
https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.emsincdetail&addn_id=205587722008060&re_id=919484782001312

¹³ TCEQ Air Emissions Event Reports. *See electronically at:*
https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.eeincdetail&addn_id=205587722008060&re_id=919484782001312

¹⁴ TCEQ Notice of Violations. Air NSR Permits 20246. *See electronically at:*
https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.novdetail&addn_id=354793392002161&re_id=919484782001312

¹⁵ TCEQ Notice of Violations. Air NSR Permits 56389. *See electronically at:*
https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.novdetail&addn_id=205587722008060&re_id=919484782001312

In 2018, HCPCSD investigators smelled strong rotten egg odor at PRSI and two (2) flares releasing heavy black smoke and heavy green smoke. Smoke in the air and strong burnt smoke odor made the investigators' throats sore and eyes watery at MacArthur Elementary and Washburn Tunnel.

On July 17, 2016, PRSI flares caused an oily substance to be deposited on vehicles. Investigators observed droplets of rust-colored, oily substance on approximately 40 vehicles. The emissions event lasted for nine (9) hours, 40 minutes and was not reported within 24 hours. This resulted in a violation of NSR Permit 56389, SC 1 and/or NSR Permit No. 20246, SC 1.

On March 5, 2016, a pipe failure at PRSI resulted in unauthorized emissions, a fire, and a worker injury. The subsequent emissions event lasted eight (8) hours and 33 minutes resulting in a violation of NSR Permit No. 56389, Special Condition 1.

On November 2, 2015, a leak into a heat exchanger was reported that had begun two (2) days earlier. This emissions event lasted 38 hours and released a total of 9,782 pounds of propane, in violation of NSR Permit No. 56389, Special Condition 1.

Ten (10) more enforcement actions were recorded including failures to prevent unauthorized emissions and failures to comply with permitted emission limits. All were classified as moderate or major.

Emergency Responses and Emission Events:

The most recent emergency response was recorded on June 26, 2021. Several more of these emergency response events have occurred over the past few years including a crude oil storage tank catching fire on August 18, 2020 that sent thick smoke billowing into the air.¹⁶

¹⁶ KHOU11. "Pasadena residents wake up to smell, smoke after fire at nearby refinery." August 18, 2020. <https://www.khou.com/article/news/local/smoke-fire-at-pasadena-refinery-on-tuesday-morning/285-a4919e05-2f27-4e03-b06f-bd754bc49a62>

The most recent emissions event record lasted 13 hours on January 4, 2022. During this emissions event, PRSI released 190 lbs of Hexane (14.6 lbs/hr), despite a permitted emission limit of 13.22 lbs/hr.¹⁷ Several more of these emissions violations have occurred over the past year including a process upset lasting 36 hours on June 27, 2022 resulting in permit limit exceedances of a slew of pollutants including particulate matter (PM), nitrogen oxides (NOx), carbon monoxide (CO), sulfur dioxide (SO₂), butenes, propylene, volatile organic compounds (VOCs), hydrogen sulfide (H₂S) and opacity as well.¹⁸ One hundred and fourteen (114) air quality emission events have been recorded since 2015. The facility has consistently been releasing hazardous substances into residential communities causing unnecessary harm. Moreover PRSI has faced nine (9) official complaints to TCEQ since 2016 on issues from odors to emissions, highlighting the constant harm and nuisance it causes nearby communities.¹⁹

It is evident that PRSI has disregarded the requirements of its permits which were created to maintain the intent of the CAA. PRSI accepts the fines imposed and continues its noncompliance. TCEQ must address this pattern of disregard and noncompliance by PRSI before approving any additional permit modifications, facility expansions, or emissions increases.

B. New Data on PRSI's Risk to Health

1. Unreliable emission estimates reported

Over the course of the last year, Commenters and the Environmental Integrity Project (EIP) retained expert consultants Dr. H. Andrew Gray of Gray Sky Solutions and Dr. Ron Sahu

¹⁷ TCEQ Air Emission Event Report Database Incident 372385. *See electronically at:*

<https://www2.tceq.texas.gov/oce/eer/index.cfm?fuseaction=main.getDetails&target=37238>

¹⁸ TCEQ Air Emission Event Report Database Incident 360967. *See electronically at:*

<https://www2.tceq.texas.gov/oce/eer/index.cfm?fuseaction=main.getDetails&target=360967>

¹⁹ TCEQ Air Quality Complaints at PRSI. *See electronically at:*

https://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=iwr.complincdetail&addn_id=205587722008060&re_id=919484782001312

(Consultants) to evaluate air emissions of selected pollutants (NO_x, SO₂, PM and Benzene), conduct air dispersion modeling to determine the current air quality impacts in the surrounding communities due to emissions from the PRSI refinery, and to identify potential additional emission reduction strategies that may be applicable. Data analyzed were for calendar year 2019. Upon the conclusion of the Consultants' study and analyses, a report was produced summarizing their observations and conclusions.²⁰ We recognize that the data analyzed in this report predate the purchase of PRSI by Chevron, but the results remain relevant as they speak to an historical pattern of problematic issues with emissions at the PRSI facility.

First, the basis for the emissions reported and their accuracy is not clear in most instances. For example, it does not appear that each refinery used the more accurate (and site specific) methods to estimate emissions as recommended by the US EPA in its Emissions Estimation Protocol for Petroleum Refineries, Version 3, April 2015. This document provides a hierarchical set of emissions calculation methods, from most to least accurate, to estimate emissions from various refinery processes. There are no indications that the protocol was relied upon.

Second, as an example for a specific deficiency, it is clear that reported emissions from flares do not include periods of flaring associated with shutdown and startup events and are likely only from the flare pilot; this results in significant underestimation of NO_x, SO₂, and PM (including PM₁₀) emissions. The underestimation of SO₂ is likely severe as a result.

Third, for VOCs from flares, it is likely that a destruction efficiency of 98% or higher was used in the calculations, even though this likely represents an unverifiably high level of destruction of VOC compounds in the open, stack flares present at each refinery.

²⁰ Gray, Andrew H. & Ranajit Sahu. Emissions, Dispersion Modeling, and Potential Emissions Controls of the Houston and Pasadena Refineries. May 2022. See *electronically at*:

https://drive.google.com/file/d/1dl5Q2OUJ7xUuQH_i3-m1pQ1nKPAOJw0e/view?usp=sharing

Fourth, the emissions of VOCs (including benzene) are likely significantly underestimated from a multitude of refinery sources, including from storage tanks, loading operations, and fugitive emissions. The results of the modeling of benzene emissions (and comparisons to fenceline benzene monitoring) make this abundantly clear. As can be seen in Table 10 of the report, the modeled annual average benzene concentrations **are much lower than the observed (measured) values**, which is a strong indication that the benzene emissions reported are likely significantly under-estimated. The ratio between measured and modeled annual average fenceline concentrations ranged from 13 to 167 for the PRSI monitors. The modeled average of all the Pasadena fenceline monitors is only three percent (3%) of the average observed values.²¹

The underestimation of emissions has two (2) broad impacts: that the estimated impacts using modeling are correspondingly also underestimated; and that cost-effectiveness calculations typically conducted as part of air pollution control assessments (and expressed as dollars per ton of emissions reduced) under various regulatory programs such as determinations of RACT and BACT are adversely distorted by making such cost-effectiveness determinations higher than they should be – and thus avoiding more stringent controls.

The results of the study make it clear that PRSI's reported benzene emissions are significantly under-estimated and that, if properly adjusted, can result in significant offsite impacts. Further, the emissions reported for the other pollutants (SO₂, PM, NO_x) are also poorly estimated and do not appear to use site-specific data to accurately estimate emissions under all conditions, especially startup and shutdown, which can result in significant emissions, especially from the flares. The extent of the inaccuracy and underestimation of PRSI's emissions estimates

²¹ Id. At Page 24, Table 10. See electronically at: https://drive.google.com/file/d/1dl5Q2OUJ7xUuQH_i3-m1pQ1nKPAOJw0e/view?usp=sharing

as outlined above cannot be understated. It is imperative that TCEQ and EPA audit their emissions inventories to ensure that PRSI is abiding by their permit limits and not producing impacts within the community that are escaping detection and punitive action due to inaccurate and misleading self-reported levels.

2. Benzene pollution

The above finding on the significant underestimation of benzene emissions is further substantiated by another recent EIP analysis, identifying PRSI as one of the top sources of benzene pollution in the country. In 2021, PRSI was ranked in the top ten (10) for refineries with the Highest Annual Average of Highest Fenceline Concentrations per Monitoring Period with a concentration of 12 micrograms per cubic meter (ug/m³) and a long-term (since 2018) average concentration of 18 ug/m³. These benzene values are higher than the ATSDR's Chronic Inhalation Minimal Risk Level (MRL) of 9 ug/m³, the EPA Chronic Lifetime Cancer Risk of 0.13-0.45 ug/m³, and even the TCEQ's own Air Monitoring Comparison Values (AMCVs) of 4.5 ug/m³.²²

Long-term potential health threat:

The latest annual average of the highest fence line concentrations per monitoring period at PRSI was **12.20** micrograms per cubic meter. This is **higher** than three (3) micrograms per cubic meter, California's eight (8)-hour and chronic reference exposure levels. From January 23, 2018 to December 20, 2021, the facility's long-term average of the highest fence line concentrations was **17.99** micrograms per cubic meter.

Short-term potential health threat:

²² Environmental Integrity Project. Benzene Pollution at Petroleum Refinery Facilities. May 12, 2022. See *electronically at*: <https://storymaps.arcgis.com/stories/9cc8aa37cb34444dbb053a097c22ba07>

One or more fenceline benzene monitors at this refinery detected two (2)-week average concentrations greater than 29 micrograms per cubic meter, the U.S. Agency for Toxic Substances and Disease Registry acute minimal risk level, for **two (2) weeks** in the last year, or **four (4) percent** of the last year. The highest concentration measured in the last year was **37** micrograms per cubic meter, during the two (2)-week monitoring period ending November 21, 2021. High two (2)-week average concentrations indicate that actual concentrations could have been much higher over shorter time periods.

Exceedance of federal action level:

This refinery's rolling annual average net fenceline benzene concentration was **11** micrograms per cubic meter, between December 21, 2020 and December 20, 2021, based on EIP's analysis of the reported fenceline monitoring results. Federal regulations require petroleum refineries to take action if the rolling annual average net fenceline benzene concentration exceeds nine (9) micrograms per cubic meter. This refinery **is required** to reduce benzene emissions that could impact nearby communities.

Lastly, This refinery has developed a site-specific monitoring plan that allows it to exclude additional "background" emissions coming from off-site or unregulated on-site sources. This refinery's "un-adjusted" annual average net concentration was **10.85** micrograms per cubic meter.²³

The IARC has classified benzene as a Group 1 human carcinogen. Long-term exposure to benzene can lead to leukemia. Benzene exposure has also been associated with a specific type of leukemia called acute myeloid leukemia (AML). Numerous studies have also linked benzene exposure to female reproductive issues, genotoxicity through chromosomal abnormalities, and

²³ Environmental Integrity Project. Benzene Pollution at Petroleum Refinery Facilities Dashboard. May 12, 2022. See electronically at: <https://experience.arcgis.com/experience/d3525d555ad744c083fdebc349b6e545?views=Intro>

damages to the lymphatic and immune system.^{24 25} A recent ProPublica analysis of five years of modeled EPA data revealed that the PRSI facility alone contributes about 60.2% of the estimated excess cancer risk within its surrounding areas.²⁶ This is no coincidence.

As a facility already emitting dangerously high levels of carcinogens and pollutants, it is irresponsible for TCEQ to allow PRSI to increase their annual emissions and pollution into the surrounding community. Furthermore, the routine pattern of flagrant violations, noncompliance, and all other concerns outlined in this section must be resolved before the TCEQ may issue the requested permit amendments.

C. Cumulative Impacts of Surrounding Facilities on Human Health

As mentioned above, the areas surrounding PRSI's refinery are communities of color with a large and low-income population that is overburdened by hazardous and other air pollution, including from multiple refineries and petrochemical facilities, sewage treatment facilities, hazardous waste (Superfund) sites, and concrete batch plants (see Figure 1: Map of the industrial burden in communities near PRSI). Cumulative Impacts refer to the total burden – positive, neutral, or negative – from chemical and non-chemical stressors and their interactions that affect the health, well-being, and quality of life of an individual, community, or population at a given point in time or over a period of time.²⁷ TCEQ must consider these cumulative health and

²⁴Agency for Toxic Substances and Disease Registry. 2015. "Medical Management Guidelines for Benzene." Centers for Disease Control and Prevention. See electronically at:

<https://wwwn.cdc.gov/TSP/MMG/MMGDetails.aspx?mmgid=35&toxid=14>

²⁵ International Agency for Research on Cancer. 2018. "BENZENE." IARC Monographs on the Identification of Carcinogenic Hazards to Humans. See electronically at:

<https://monographs.iarc.who.int/wp-content/uploads/2018/06/mono100F-24.pdf>.

²⁶ ProPublica. The Most Detailed Map of Cancer Causing Industrial Air Pollution in the U.S. See electronically at: <https://projects.propublica.org/toxmap/>.

²⁷ United States Environmental Protection Agency. 2022. *Cumulative Impacts*. See electronically at:

https://www.epa.gov/system/files/documents/2022-01/ord-cumulative-impacts-white-paper_externalreviewdraft-508-tagged_0.pdf

industrial impacts when approving the PRSI permit amendments as well as other refinery permits and facility corrective action plans in the immediate area.

IV. CONCLUSION

Air Alliance Houston (AAH) is very concerned about the impacts of Pasadena Refining System, Inc. (PRSI) on air quality and public health in and around the immediate surrounding residences including the Pasadena and Galena Park communities and the Houston Ship Channel as a whole. It is clear that the facility displays a pattern of disregard for and noncompliance with the Clean Air Act (CAA). Basing future compliance on the expansion of the facility into a new LTO Project is precarious at best, and PRSI has provided no historical basis upon which to reasonably expect this to occur. Therefore, Commenters request the following:

- **TCEQ should deny the permit amendments listed above outright and require a corrective action plan and timeline from PRSI for how they will reach compliance with current emissions standards, prevent future unauthorized emissions, and provide for the removal/decommissioning of specific facility equipment with relevance to the renewal application.**
- **TCEQ should immediately audit PRSI's emissions inventories to determine if punitive action is needed due to potentially inaccurate and misleading reporting. Furthermore, PRSI should outline a corrective action plan to use accurate (and site specific) methods to estimate emissions as recommended by the EPA in its Emissions Estimation Protocol for Petroleum Refineries, Version 3, April 2015.**
- **TCEQ should require that PRSI implement additional emission control/reduction measures and technologies (particularly to operations not**

slated to be addressed by the new LTO Project) given its routine violation of permit limits and air quality standards as outlined above and also to reduce the likely higher-than-reported actual emissions of various pollutants.²⁸

Commenters would also like restate the conditions of the settlement reached between HCPCSD, HCAO, and PRSI that we wholeheartedly support:

- **PRSI should provide HCPCSD and surrounding communities notice as specified below for the referenced activities associated with construction of the LTO Project:**

- **Twenty-four (24) hours in advance of each road closure; and**
- **Seventy-two (72) hours in advance of:**
 - **The initiation of depressurizing or demolition of tanks and process vessels, including reactors, boilers, and piping; and**
 - **The startup of new or modified units, including startups associated with the repurposing of the Sulfur Recovery Unit and the Fluidized Catalytic Cracker Unit.**
- **Notices required under this section shall be provided in writing and delivered either: (A) by overnight course to the address set forth below; or (B) by e-mail to the e-mail address set forth below**

HCPCS
Attention: _____
Houston, TX 77 _____
Email address: _____

²⁸ Gray, Andrew H. & Ranajit Sahu. Emissions, Dispersion Modeling, and Potential Emissions Controls of the Houston and Pasadena Refineries. May 2022. **See: Section D: Potential Emission Controls for a detailed discussion of the various potential emissions control options that could be used to minimize emissions.**

See electronically at: https://drive.google.com/file/d/1d15Q2OUJ7xUuQH_i3-m1pQ1nKPAOJw0e/view?usp=sharing

- **PRSI will make available to the public on its internet web page the data that PRSI provides to the U.S. Environmental Protection Agency (“EPA”) pursuant to 40 CFR § 63.655(h)(8) regarding fenceline monitoring conducted pursuant to 40 CFR § 63.658. PRSI will make such information available within twenty-four (24) hours after it provides the data to EPA.**
- **PRSI will make available to the public on its internet web page air monitoring data that PRSI collects related to construction of the LTO Project. PRSI will make such information available within twenty-four (24) hours after the data is validated.**

Lastly, Commenters want to document here and request a response to the concerns and requests of community members brought to Chevron/PRSI staff at a community meeting held on May 23, 2022 at Red Bluff Elementary School in Pasadena, Texas:

- **TCEQ should require that PRSI publicly post its maintenance schedules so that surrounding residents may prepare for potentially disruptive flaring events and other occurrences.**
- **TCEQ should post permit applications, reports, and responses to violations pertaining to PRSI online as well as notify the surrounding community.**
- **TCEQ should require that PRSI host a proper OPEN community meeting in the vicinity of the facility to provide information to all members of the surrounding community and answer questions concerning the permit amendments and associated project.**
 - **Furthermore, PRSI should undertake appropriate measures to broadly publicize this meeting well in advance of the date (at least**

several weeks to a month). This may include providing advance notice to communities through community groups, their elected representatives, and county officials (HCPCSD, HCAO, etc.) as well as notices published in newspapers, social media, and more.

Should there be any questions about these comments, please feel free to contact the undersigned representative at any time. We appreciate your urgent attention and response to these matters.

Respectfully submitted,

/s/

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